

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHAEL J. MATULKA,)	
)	
Plaintiff,)	8:12CV290
)	
v.)	
)	
PINNACLE FINANCIAL)	MEMORANDUM
CORPORATION, MORTGAGE)	AND ORDER
ELECTRONIC REGISTRATION)	
SYSTEMS, Inc., WELLS FARGO BANK,)	
NA, ERIC H. LINDQUIST, ERIC H.)	
LINDQUIST, P.C., L.L.O., DOES 1)	
THROUGH 10 (inclusive), and WELLS)	
FARGO BANK, National Association, as)	
Trustee for Certificate Holders of Bear)	
Stearns Asset Backed Securities I LLC,)	
Asset Backed Certificates, Series 2007-)	
AC5,)	
)	
Defendants.)	

This matter is before the court on the findings and recommendation filed by Magistrate Judge Cheryl R. Zwart on August 20, 2013 (filing [21](#)). Judge Zwart recommends that all claims brought by Michael J. Matulka against Pinnacle Financial Corporation and Does 1 through 10 (inclusive) be dismissed for want of prosecution.¹

No objections have been filed to the findings and recommendation within the time permitted by 28 U.S.C. § 636(b)(1). In any event, I have conducted a de novo review and find that Judge Zwart has correctly found the facts and applied the law. Her findings and recommendation therefore will be adopted.

Accordingly,

¹ Claims brought against the other defendants were dismissed with prejudice on April 18, 2013. See filing [19](#).

IT IS ORDERED:

1. The Magistrate Judge's findings and recommendation (filing [21](#)) are adopted and all claims brought by Michael J. Matulka against Pinnacle Financial Corporation and Does 1 through 10 (inclusive) are dismissed for want of prosecution.
2. Judgment will be entered by separate document.

DATED this 9th day of September, 2013.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge